

REMARKS

Claims 1-3, 5, 7-10, 12, 13 and 15-18 are still pending in this application. Claim 19 has been canceled without prejudice or disclaimer of the subject matter contained therein. Claims 1, 10, 12, 13, 16, 17 and 18 have been amended to correct minor typographical errors and/or provide proper antecedent basis. Claims 1, 10 and 16 are independent claims.

Claim Rejection under 35 U.S.C. § 103

Claims 1-3, 5, 7-10, 12, 13 and 15-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hunzinger et al. (hereinafter Hunzinger; US Patent App. Pub. No. 2002/0045443), in view of Wang et al. (hereinafter Wang; US Patent App. Pub. No. 2004/0085894), and in further view of Rinchiuso (US Patent App. Pub. No. 2003/0012222 A1). Applicants respectfully traverse the rejections and request reconsideration and allowance of the claims in view of the following remarks.

While the Examiner admits that the combination of Hunzinger and Wang et al. does not specifically teach dropping the current communication if the call recovery timer expires, the Examiner alleges that this limitation is described in Rinchiuso. Rinchiuso describes transmitting an acknowledgement signal and waiting for a reply. If no reply signal is received within the reply period of the acknowledgement timer, another acknowledgement signal is sent. This process repeats itself until no response is heard after three consecutive attempts. After a third unsuccessful attempt, the receiving component “will abort its acknowledgement efforts and

either continue or drop communications with the transmitting component.” No further mention is made in the reference of dropping any communication.

In contrast, independent claim 1 recites, “dropping the current communication if the call recovery timer expires.” This step is similarly recited in independent claims 10 and 16, as well. The procedure described in the cited reference that **might** drop a communication in response to **three** unsuccessful **acknowledgement packets**, the success of which being determined by response within a given time period, is not equivalent to dropping the current communication if the call recovery timer expires. Furthermore, because the acknowledgement timer described in Rinchiuso counts down to a subsequent retransmission attempt, as opposed to the dropping of the current communication, the term “call recovery timer” is not a truly accurate label or characterization of the timer functionality according to Rinchiuso. The timer described in Rinchiuso is markedly distinct from that of independent claims 1, 10, and 16.

Thus, Rinchiuso fails to cure the deficiencies of Hunzinger in view of Wang. Applicants submit that Hunzinger in view of Wang and Rinchiuso does not render independent claims 1, 10 and 16 obvious to one of ordinary skill in the art. Furthermore, that the remaining dependent claims are allowable at least for their dependence on an allowable base claim.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

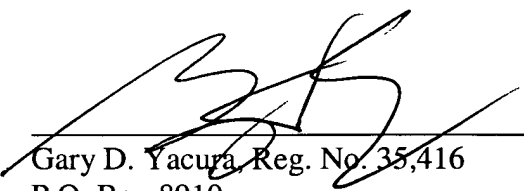
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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